

OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD BENCH

ALLAHABAD

Allahabad : Dated this 6th day of December, 2001.

Original Application No.1372 of 1995.

CORAM :-

Hon'ble Mr. S. Dayal, A.M.

Hon'ble Mr. Rafiuddin, J.M.

Neeraj Pandey S/o Mr. Vivekanand Pandey,

R/o No.1 Clive Road, Civil Lines,

Allahabad-211001

(Sri G.P. Agrawal, Advocate)

..... .Applicant

Versus

1. Union of India through Secretary,  
Ministry of Home Affairs, New Delhi.

2. Staff Selection Commission through  
its Deputy Director 'CR) 8, A.B.  
Beli Road, Allahabad-211001.

(Sri Prashant Mathur, Advocate)

..... .Respondents

O R D E R (O\_r\_a\_l)

By Hon'ble Mr.S. Dayal, A.M.

This application has been filed for a direction to the respondents to allow the applicant to appear in Stenography Test. Prayers have also been made for setting aside the rejection letter dated 26-6-1999.

2. The case of the applicant is that he applied against the vacancy advertised in 1993 for the post of Stenographer Grade 'C' in response to the notification of Staff Selection Commission. He succeeded in the written examination for which he has received information by

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means of date advertised in the news, by intimation card and by admit card. The roll numbers of successful candidates were published in the employment news dated 15-21-April 1995. The applicant's roll number was also published in the same list. The applicant thereafter awaited for intimation regarding date of Stenograph Test. He claims to have made several visits to Staff Selection Commission but no exact date has been announced. The Stenography Test was held on 28-5-1995. The applicant states that he visited Staff Selection Commission and found that the test had already taken place. He made representation on 2-6-1995. He attached certificate of the postal department in which they had admitted their mistake in not serving the intimation on the applicant. The respondents vide their impugned order dated 26-6-1995 have informed the applicant that the test had already been held and the request of the applicant for another chance to appear in the Stenography Test cannot be accepted. This has given cause to the applicant to file this OA.

3. We have heard the arguments of Sri GP Agarwal, counsel for the applicant and Sri Prashant Mathur Counsel for the respondents.

4. We find from Annexure-CA-3 that the registered letter in the name of the applicant was delivered on 22-5-1995 but it was admitted by the Postal Department that it was not delivered to the applicant but was delivered to somebody else. We find from Annexure-2 to the CR that the address of the applicant given in the registered letter was correct. We also find from the result of the written examination published in Employment News dated 15-21 April 1995 that it was clearly mentioned that Shorthand Test will be held in the month of May 1995. The respondents have mentioned in their CR that the notice

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indicating time and date and venue of the test was pasted on Board as per the procedure. Besides, the respondents also opened enquiry counter for giving information to the candidates, who could visit the place of enquiry and there is a specific provision for providing admit card to appear in the Stenography Test.

5. We find that Stenography Test was held on 28-5-1995. If the applicant had been vigilant he would have been able to find out the date, time and place of the test. In any case, no provision has been indicated regarding rules of examination for allowing the applicant to appear now for the same which was conducted on 28-5-1995. We, therefore, find no reason to set aside the Memo. dated 26-6-1995. The OA is dismissed. There shall be no order as to costs.

  
Member (J) Member (A)

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